

MAYOR AND COUNCIL

MINUTES

SEPTEMBER 1, 2020

6:00 PM

Mayor Mark Walsifer, Council President Thomas Brennan, Councilman James McCracken, Councilman Thomas Carvelli, Councilwoman Patricia Wann, Acting Borough Attorney Patrick Varga, Business Administrator Edward Kirschenbaum and Borough Clerk April Claudio

Adequate notice of this meeting has been provided to The Coast Star, the official newspaper of the Borough of Belmar, and the Asbury Park Press on December 4, 2019 and notice of this meeting was prominently posted on the bulletin board of the Municipal Building and filed with the Clerk of the Borough of Belmar.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE: Our troops and their families

WORKSHOP DISCUSSION:

Mayor Walsifer stated we discussed Verizon's plans for 5G poles on Ocean Avenue at the last meeting. Mr. Varga stated we are at a stalemate with them because we want them to install security cameras on the poles. It is basically unlawful for us to stop them from putting up poles, but we have some rights as far as aesthetics. Once we reach an agreement there will be a resolution before the Mayor and Council. Mayor Walsifer stated Verizon wants the poles up before next summer.

Mr. Kirschenbaum stated we will not be extending the beach season since we do not have enough staff to keep the beach open and charge for badges. DPW and Police will still enforce social distancing. Councilman Brennan asked about only putting up a limited amount of ticket booths. Mr. Kirschenbaum stated we do not have the lifeguards to staff the beach. Councilman Brennan asked if we could close the beach completely. Mr. Kirschenbaum stated we cannot because it violates the Public Trust Doctrine. Councilman Brennan asked about leaving the beach lockers up until the end of the month. Mr. Kirschenbaum stated it is hurricane season which is why we have to remove them by the 15th. It takes time for DPW to remove them all. Mike Campbell, Director of Public Works, added that he cannot put up the snow fence until the lockers are removed. Mayor Walsifer stated a lot of the beach staff are teachers which is why they cannot work.

PETITIONS: None

APPROVAL OF MINUTES: Councilman Brennan made a motion to approve the minutes of the August 18, 2020, which was seconded by Mayor Walsifer and approved by the following vote:

AYES: Wann, Brennan, McCracken and Walsifer
ABSTAIN: Carvelli

REPORTS OF COUNCIL:

Councilman Carvelli: Website is more user friendly.

Councilwoman Wann: ADA Committee meets on the 17th. There will be a report on what they do published in the Coast Star. Encouraged people not to be afraid to call the police on their neighbors and also report issues to the block captains.

Councilman McCracken: Shade Tree Commission will be meeting with Mr. Kirschenbaum to discuss some issues. Housing Authority meeting is on the 8th. Hopes we can find ways to strengthen the animal house ordinance.

Councilman Brennan: Ecode Search app is great for searching borough ordinances. DPW is doing a great job cleaning up the beach every day. Has been receiving a lot of accolades for Chief Scott for the installation of a traffic sign in the Rhode Island point section.

Mayor Walsifer: Will be lending out our sanitizing robot to Belmar Elementary School as they get ready for their opening. Thanked all the borough employees for their hard work during this crazy summer.

PUBLIC SESSION: Public Session on resolutions only on the Agenda. We will continue to have a Public Session at the end of this meeting.

Gene Creamer, 4th Avenue, asked if a condition could be put on the liquor license renewals that they have to comply with ADA regulations. Mayor Walsifer and Robert Poff, Code Enforcement, explained that existing structures are grandfathered in, but new structures or improvements will have to comply with ADA.

Mayor Walsifer made a motion to close the public session, which was seconded by Councilman Carvelli and approved unanimously.

CONSENT AGENDA #1 - RESOLUTIONS:

All matters listed in the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Councilman Brennan offered the following resolutions for adoption:

No. 2020-168 RESOLUTION AUTHORIZING PAYMENT OF BILLS

No. 2020-169 RESOLUTION PURSUANT TO N.J.A.C. 5:30-14.4 ET SEQ. CHANGE ORDER NUMBER ONE FOR THE IMPROVEMENTS TO TWELFTH AVENUE PHASE II

No. 2020-170 RESOLUTION AUTHORIZING REFUNDS

Seconded by Councilwoman Wann and approved by the following vote:

AYES: Wann, Brennan, Carvelli, McCracken and Walsifer

CONSENT AGENDA #2 - RESOLUTIONS:

Mayor Walsifer offered the following resolutions for adoption:

No. 2020-171 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1306-32-015-009 TO FUSAL, LLC T/A LA DOLCE VITA FOR THE PERIOD ENDING JUNE 30, 2021

No. 2020-172 RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL DISTRIBUTION LICENSE FOR DAI SENG CORP. T/A LITTLE RED BARN FOR THE PERIOD ENDING JUNE 30, 2021

No. 2020-173 RESOLUTION AUTHORIZING ISSUANCE OF SEASONAL RETAIL CONSUMPTION LICENSE NO. 1306-34-011-010 TO 1000 MAIN LIQUOR LICENSE LLC FOR THE PERIOD ENDING JUNE 30, 2021 TO BE HELD IN POCKET (INACTIVE)

Seconded by Councilman Carvelli and approved by the following vote:

AYES: Wann, Carvelli, McCracken and Walsifer

ABSTAIN: Brennan

ORDINANCES:

ORDINANCE 2020-34 FIRST READING & INTRODUCTION

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$427,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Councilwoman Wann offered Ordinance 2020-34 for first reading and introduction, which was seconded by Councilman Carvelli and approved by the following vote:

AYES: Wann, Brennan, Carvelli, McCracken and Walsifer

PUBLIC SESSION:

Arnold Lakind, 209 9th Avenue, his neighbor's property is having issues with noise. He is limited to only using portions of his house because of his neighbor's tenants. Would like the Council to consider a provision that requires the hiring of a security officer. Mayor Walsifer stated Mr. Dasti is looking into the animal house ordinance.

Kathy Bonjone, 410 16th Avenue, stated the Community Policing program is great. Gave a shout out to Frank Cinelli for trying to keep her neighbor's property clean. Chief Scott will look to see if an officer can be posted at her neighbor's property.

Linda Sharkus, 4th Avenue, stated it is better for the community to have more wireless providers on the Verizon poles. She suggested putting more mobi mats on the beach next year. Mayor Walsifer stated he wants to have them on all beaches.

Cheri Russo, 1218 Briarwood, stated she is concerned that Mr. Dasti gave advise on a pay to play issue about the Council when he is involved in his own pay to play investigation in Toms River. She asked that he be terminated as Borough Attorney.

Mark Levis, 904 13th Avenue, stated he learned through an OPRA request that in January 2018 Mr. Campbell and Mr. Kirschenbaum entered into an agreement for Mr. Kirschenbaum to store his boat in the marina at no charge. He said he found no resolutions of the Council authorizing that agreement. He also questioned the "as is" dock rental fees which are discounted. He asked who made the list and why not just make people purchase the regular slips when the marina is not full. He asked why the resolution setting those fees was not renewed in 2020 but people still used the slips. He asked why they were not advertised to the public.

Mayor Walsifer stated the Harbor Commission discussed it last year. They had these sleeps that were unusable, and they thought it would be a good idea to rent them and the money collected could be used to fix them up so they could be rented at full price. Some of them need pilings fixed or need to be dredged. These slips are also available to anyone. A new resolution does not need to be to be done if the rates didn't change.

Mr. Levis felt these were unwise decisions.

Tom Volker, 527 8th Avenue, thanked Chief Scott for addressing the loud traffic on 8th Avenue. He suggested putting up shade structures on the boardwalk.

Marina Rondinaro, 1246 Pinetree Way, asked if there are unethical things happening in Belmar that they be cleaned up.

Gerald Buccafusco, 409 5th Avenue, stated the public has questions about the bond ordinance. Felt one of the finance professionals should attend the next meeting to answer questions. He wanted to know what was being purchased, a detailed explanation of the supplemental debt statement, and how long is the bond for. He also asked for the status of Ordinance 2020-33. Mayor Walsifer stated we are still working on it. Mr. Buccafusco questioned what title Mr. Huisman is currently working under.

Maureen Powers, 9th Avenue, would like to see benches put back on the boardwalk.

Gene Creamer, 4th Avenue, suggested Verizon look at putting small cell units on existing buildings and paying those owners rent instead of the poles in the right of way.

Mayor Walsifer made a motion to close the public session and adjourn the meeting, which was seconded by Councilman Brennan and approved unanimously.

Respectively submitted,

April Claudio
Municipal Clerk